

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Examiner: To be Assigned  
Ruelle, Jean-Louis : Art Unit: To be Assigned  
Serial No.: 09/889,283 : Intl Application No. PCT/EP00/00135  
For: Novel Compounds : I.A. Filing Date: 01/10/2000

BOX: PCT  
Commissioner for Patents  
Washington, D.C. 20231

## COMMUNICATION

Sir:

A Notice of Abandonment dated July 9, 2002 (copy enclosed) was received for the above referenced application, alleging that Applicants failed to respond to the Notification of Missing Requirements.

Applicants assert that a timely response to Missing Requirements was filed on February 11, 2002, including authorization to charge Applicant's deposit account for a three (3) month extension of time. This response was timely received by the PCT/PTO on February 26, 2002, as indicated on the stamped return postcard. Thus, the holding of Abandonment is improper. A copy of the previously filed response and the stamped return postcard is enclosed herewith. Applicants respectfully request that the holding of Abandonment be immediately withdrawn.

Respectfully submitted,

*Teresa O. Bittenbender*  
Teresa O. Bittenbender  
Registration No. 47,425  
Attorney for Applicant

DECHERT  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793  
Fax: (215) 994-2222  
Attn: Teresa O. Bittenbender  
(215) 994-2213

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being caused to be deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope on July 29, 2002 addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20231.

*June Robinson*  
June Robinson

*7/29/02*  
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/889,283	Jean-Louis Ruelle	BM45348

INTERNATIONAL APPLICATION NO.
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PCT/EP00/00135

1A. FILING DATE	PRIORITY DATE
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01/10/2000

01/15/1999

 25308  
 DECHERT  
 ATTN: ALLEN BLOOM, ESQ  
 4000 BELL ATLANTIC TOWER  
 1717 ARCH STREET  
 PHILADELPHIA, PA 19103

RECEIVED

JUL 15 2002

S.C.S.

CONFIRMATION NO. 2510

 371  
 ABANDONMENT/TERMINATION  
 LETTER


\*OC000000008417939\*

Date Mailed: 07/09/2002

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 09/27/2001 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

BARBARA A CAMPBELL

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 Telephone: (703) 305-3631

PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

## U.S. PATENT &amp; TRADEMARK OFFICE - ACKNOWLEDGEMENT CARD

GlaxoSmithKline/Dechert

Docket # DM 45348 Ser. No. 097889,283 Filed \_\_\_\_\_ Pat. No. \_\_\_\_\_Inventor(s) Jean-Louise Ruelle Atty./Agent \_\_\_\_\_Title Novel CompoundsDate Mailed: 2-11-02

Form of Delivery		Application		(✓)	Appn. Related
✓ COM Signed By: <u>SCS</u>		Enter Number	Check Type		Declaration §1.63
Exp. Mail Cert. Signed By:		Specification Pages	Original U.S.		Assignment, plus Recordation Cover Sheet
Exp. Mail #		Claim Pages	Continued Prosecution Appn		Preliminary Amendment
By Hand By:		Sheets of Drawings	Provisional		Power of Attorney
Payments		Abstract Pages	Design		Notice to File Missing Parts
Check #	for \$	Application Cover Sheet	Divisional		Statement for Small Entity Status
✓ Auth. to Charge Dep. Acct. No. 50-0258 <u>\$1086.00</u>		Sequence Listing Pages			Certificate of Merger (Name Change), plus Recordation Cover Sheet
✓ <u>Missing Requirements</u>		(✓) Other	(✓) Other (Continued)	(✓) Other (Continued)	
Fees For: <u>Extension Fees</u>		Terminal Disclaimer	Letter to USPTO		Transmittal Letter
(✓) Amendment Related	✓	Status Letter	Petition for Foreign File License		IDS <b>RECEIVED</b>
After Rejection (§1.111)		Issue Fee	Claim for Foreign Priority		PTO SB/08A and 08B [ ] pats. [ ] pub. (Formerly PTO-1449)
After Final Rejection (§1.116)		Certified Priority Document	Fee Calculation Sheet		<b>MAR 11 2002</b>
After Allowance (§1.312)					
Supplemental		Petition to Withdraw			<b>S.C.S.</b>
Voluntary/Preliminary		Request			<b>IC10 Rec'd PCT/PTO 26 FEB 2002</b>
Drawing Correction		Extension of Time §1.136(b)			
Declaration		Correct Filing Receipt			
Supplemental Declaration		Certificate of Correction (Form PTO-1050)			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : International Application No.: PCT/EP99/00135  
Ruelle, et al. : I.A. Filing Date: 10 January 2000  
Serial No.: 09/889,283 : Priority Dates: 15 January 1999, 28 January 1999,  
: 29 January 1999, 09 February 1999,  
: 10 February 1999, 20 February 1999,  
: 23 February 1999 & 25 February 1999  
For: Novel Compounds :

Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE**

Sir:

In response to the communication from the Patent Office mailed 27 September 2001, entitled "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office," enclosed is the Declaration and Power of Attorney for this application, plus the duplicate copy of the Notice to File Missing Parts of the Application form.

The Notice also indicates a claim fee of \$36.00 is required for two additional claims over 20. The Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-0258.

The \$130.00 surcharge for filing the missing parts of the application should be also charged to Deposit Account No. 50-0258.

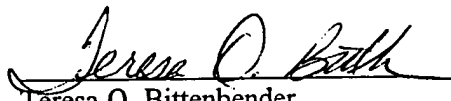
The \$920.00 surcharge for a three-month time extension should also be charged to Deposit Account No. 50-0258. Any overpayment should be credited to Deposit Account No. 50-0258.

08/09/2002 ATRAN1 00000022 500258 09889283

01 FC:966	36.00 CH
02 FC:154	130.00 CH
03 FC:117	920.00 CH

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Respectfully submitted,

  
Teresa O. Bittenbender  
Registration No. 47,425  
Attorney for Applicant

Docket No. BM45348  
Serial No. 09/889,283

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20231.

  
Susan C. Sheehan

2-11-02  
Date

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## NOVEL COMPOUNDS

the specification of which (check one)

☐ is attached hereto.

☒ was filed on 10 January 2000 as Serial No. PCT/EP00/00135  
and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

Number	Country	Filing Date	Priority Claimed
9900952.4	Great Britain	15 January 1999	Yes
9900838.5	Great Britain	15 January 1999	Yes
9901945.7	Great Britain	28 January 1999	Yes
9901948.1	Great Britain	28 January 1999	Yes
9902078.6	Great Britain	29 January 1999	Yes
9902088.5	Great Britain	29 January 1999	Yes
9902074.5	Great Britain	29 January 1999	Yes
9902879.7	Great Britain	9 February 1999	Yes
9902936.5	Great Britain	10 February 1999	Yes
9903978.6	Great Britain	20 February 1999	Yes
9904133.7	Great Britain	23 February 1999	Yes
9904404.2	Great Britain	25 February 1999	Yes

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

Application Number	Filing Date
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

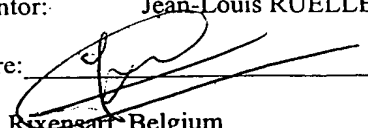
Serial No.	Filing Date	Status
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I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

Customer Number 25,308

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Jean-Louis RUELLE

Inventor's Signature: 

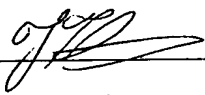
Date: 31 January 2002

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Full Name of Inventor: Joelle THONNARD

Inventor's Signature: 

Date: 31.01.02

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